

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

URBAN ASSOCIATES, INC.,

Plaintiff,

CIVIL CASE NO. 04-40059

v.

STANDEX ELECTRONICS, INC., *et al.*,

HONORABLE PAUL V. GADOLA  
U.S. DISTRICT JUDGE

Defendants.

\_\_\_\_\_ /

**ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION**

Now before the Court is Plaintiff's motion for partial summary judgment, filed on September 20, 2007, and the Report and Recommendation of Magistrate Judge Virginia Morgan, filed on November 15, 2007. The magistrate judge's Report and Recommendation recommended that Plaintiff's motion be denied. The Magistrate Judge also notified the parties that any objections must be filed within ten days of service. No party has filed objections to the Report and Recommendations.

The Court's standard of review for a magistrate judge's Report and Recommendation depends upon whether a party files objections. If a party does not object to the Report and Recommendation, the Court does not need to conduct a review by any standard. *See Lardie v. Birkett*, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002) (Gadola, J.). As the Supreme Court observed, "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings." *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Because neither party filed timely objections to Magistrate Judge Morgan's Report and Recommendation, *see* 28 U.S.C. § 636(B)(1)(c); Fed. R.

Civ. P. 6(e), this Court need not conduct a review.

**ACCORDINGLY, IT IS HEREBY ORDERED** that the Report and Recommendation [docket entry #58] is **ACCEPTED** and **ADOPTED** as the opinion of this Court.

**IT IS FURTHER ORDERED** that Plaintiff's motion for partial summary judgment [docket entry #52] is **DENIED**.

**SO ORDERED.**

Dated: January 18, 2008

s/Paul V. Gadola  
HONORABLE PAUL V. GADOLA  
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on January 18, 2008, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Michael J. Barton; Victoria A. Valentine, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: \_\_\_\_\_.

s/Ruth A. Brissaud  
Ruth A. Brissaud, Case Manager  
(810) 341-7845